

Exhibit 2

*State of California ex. rel. Ven-A-Care of the Florida Keys, Inc. v.
Abbott Laboratories, Inc., et al.*

Exhibit to the Declaration of Nicholas N. Paul in Support of Plaintiffs' Motion for Summary
Judgment as to Defendant Mylan

CAUSE NO. D-1-GV-07-001259

- - - -

THE STATE OF TEXAS)	IN THE DISTRICT COURT
)	OF
ex rel.)	
)	
VEN-A-CARE OF THE)	
FLORIDA KEYS, INC.)	
)	
Plaintiffs,)	
)	TRAVIS COUNTY, TEXAS
vs.)	
)	
SANDOZ, INC. f/k/a GENEVA)	
PHARMACEUTICALS, INC., EON)	
LABS,)	
)	
MYLAN PHARMACEUTICALS, INC.,)	
MYLAN LABORATORIES, INC.,)	
UDL LABORATORIES, INC.,)	
)	
TEVA PHARMACEUTICALS USA,)	
INC. f/k/a LEMMON)	
PHARMACEUTICALS, INC., COPLEY)	
PHARMACEUTICALS, INC. IVAX)	
PHARMACEUTICALS, INC., SICOR)	
PHARMACEUTICALS, INC., and)	
TEVA NOVOPHARM, INC.,)	
)	201st JUDICIAL
Defendants.)	DISTRICT

- - - -

VIDEOTAPE DEPOSITION OF: ERIC BELLDINA

- - - -

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF MASSACHUSETTS

3 _____)MDL No. 1456
4 IN RE: PHARMACEUTICAL INDUSTRY)Master File No.
AVERAGE WHOLESALE PRICE LITIGATION)01-12257-PBS
5 _____)
THIS DOCUMENT RELATES TO:)Judge Patti B.
6 State of California, ex rel.)Saris
Ven-A-Care v. Abbott Laboratories,)
7 Inc., et al.)
Case No. 03-cv-11226-PBS)
8 _____)
9

10
11
12 - - - -
13 VIDEOTAPE DEPOSITION OF: ERIC BELLDINA
14 - - - -
15

16 DATE: November 21, 2008
Friday, 9:00 a.m.

17
18 LOCATION: Lakeview Golf Resort & Spa
1 Lakeview Drive
19 Morgantown, WV 26508
20

21 TAKEN BY: State of Texas

22 REPORTED BY: JoAnn M. Brown, RMR, CRR
23 Notary Public
24 Reference No. JB10033
25

1 A. Yes, we are.

2 Q. It lists Red Book, First DataBank, Medi-Span
3 and Orange Book?

4 A. Yes, that's correct.

5 Q. And what are those?

6 A. Red Book, First DataBank, and Medi-Span are
7 first-party databases that Mylan reported new
8 product information to.

9 Q. And is that part of your job responsibilities?

10 A. Yes, it was.

11 Q. And what would you report to them?

12 A. Approval letters, date of launch, product AWP,
13 product WAC, if necessary, package sizes,
14 color, shape.

15 Q. So, you would report AWP figures to those
16 service companies?

17 A. Yes, I reported AWP figures.

18 Q. And you knew those price reporting services
19 would publish the numbers you provided to them
20 with regards to the AWP figures?

21 MR. PALERMO: Objection to the form.

22 A. Yes, that was my understanding.

23 Q. As well as any WAC figures that you may have
24 submitted to them?

25 MR. PALERMO: Objection to the form.

1 A. If the states reimburse off AWP, they would
2 need that information --

3 Q. Okay.

4 A. -- to list the product.

5 Q. All right. So, if a manufacturer grossly
6 inflated its AWP, would that somehow affect
7 Medicaid reimbursement and the spread for the
8 customers?

9 MR. PALERMO: Objection to the form.

10 A. Not that I'm aware of.

11 Q. A grossly-inflated AWP would not affect the
12 spread?

13 MR. PALERMO: Objection to the form.

14 A. Not that I'm aware of.

15 Q. Okay. Do you know if Mylan did this with
16 other Medicaid programs as well, that is, just
17 send AWP page only?

18 MR. PALERMO: Objection to the form.

19 A. We only reported to four states, New Jersey,
20 Illinois, Texas and Virginia. Everyone else
21 pulled their data from First DataBank, Medi-
22 Span or Red Book, unless they had other
23 sources.

24 Q. Mm-hmm. What about Texas?

25 MR. PALERMO: Objection to the form.